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Docketed 6/4/01  
WWS

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/823,910	03/30/2001	Daniel J. Balbierz	13724-845

CONFIRMATION NO. 7532

## FORMALITIES LETTER



\*OC00000006136129\*

Joel Harris  
967 North Shoreline Boulevard  
Mountain View, CA 94043

Date Mailed: 06/01/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*

- Total additional claim fee(s) for this application is \$796.

- \$756 for 84 total claims over 20.
- \$40 for 1 independent claims over 3.

08/07/2001	MBERHE	00000033	501865	09823910
01	FC:201	355.00	CH	
02	FC:205	65.00	CH	
03	FC:203	756.00	CH	
04	FC:202	40.00	CH	

- The oath or declaration is missing.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 1216.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

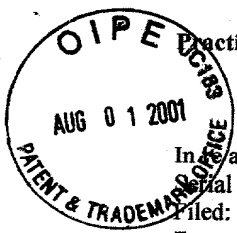
- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Practitioner's Docket 13724-845

08-2-01

\$ sector  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morris

Serial No.: 09/823,910

Filed: 03/30/2001

For:

Tissue Biopsy, Monitoring and Treatment Apparatus and Method

Group No.: 1651

Examiner: Not assigned

Commissioner for Patents  
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS  
—NONPROVISIONAL APPLICATION

- I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed 06/01/01. A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

SMALL ENTITY STATUS

- III. Applicant claims small entity status. See 37 C.F.R. §1.27.

COMPLETION FEES

1. Filing Fee: Original patent application (37 C.F.R. 1.16(a))	\$ 355.00
2. Fee for Claims: Each claim in excess of 20 (37 C.F.R. 1.16(c))	\$ 756.00
3. Fee for Claims: Each independent claim in excess of 3 (37 C.F.R. 1.16(b))	\$ 40.00
4. Surcharge Fee: Late payment of filing fee (37 C.F.R. 1.16(e))	\$ 65.00
5. Total completion fees	\$1,216.00

DRAWINGS

- IV. Applicant hereby supplies substitute drawings (40 sheets) per 37 C.F.R. 1.84.

ABSTRACT

- V. Applicant hereby includes an Abstract per 37 C.F.R. 1.72.

TOTAL FEE DUE

- VI. The total fee due is: Completion fees \$ 1,216.00; Extension of Time Fees \$ 0; Corrected Filing Receipt Fees \$ 0

**TOTAL FEE DUE \$ 1,216.00**

PAYMENT OF FEES

- VIII. Charge account No. 50-1865 (13724-844) in the amount of \$1,216.00.  
Please charge Account No. 50-1865(13724-844) for any fees that may be due by this paper.

  
Joel Harris, Reg. No. 44,743

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Commissioner for Patents, Washington, D.C., 20231 on this date: August 1, 2001  
Express Mail Label EL663811505US Typed or printed name: Elizabeth A. Schneider

Signature 

Date August 1, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number

09/823,910

644 16 57

Filing Date

03/30/2001

First Named Inventor

Daniel Balbierz

Group/Art Unit

1651

Examiner Name

N/A

Total Number of Pages in This Submission

14

Attorney Docket Number

13724-845

RECEIVED

AUG 27 2001

TECH CENTER 1600/2900

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Small Entity Statement☐ Request for Refund☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter

Additional Enclosure(s) (please identify below):

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual name

Joel M. Harris, Reg. No. 44, 743, Rita Medical Systems, Inc

Signature

Date

08/21/2001

Customer Number:

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Commissioner for Patents, Washington, D.C. 20231, on this date August 21, 2001

Express Mail Label EL663811576US

Typed or printed name

Elizabeth A. Schneider

Signature

Date

08/21/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the